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**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1646**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/901,556
Applicant : Höttner et al.
Filed : September 24, 1999
TC/A.U. : 1646
Examiner : P. Mertz

Docket No. : 2923-286
Customer No. : 06449
Confirmation No. : 3191

AMENDMENT UNDER 37 CFR 1.116

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

June 17, 2004

Sir:

In response to the Office action of April 15, 2004, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-19 (canceled)

Claim 20 (currently amended): An antibody or antibody fragment which specifically binds to a protein of the TGF- β family wherein said antibody or antibody fragment binds to a part of the protein encoded by a ~~DNA comprising a~~ nucleotide sequence selected from the following group:

- (a) the nucleotide sequence as shown in SEQ ID NO:1,
- (b) a nucleotide sequence which is degenerate as a result of the genetic code to the nucleotide sequence of (a), and
- (c) fragments of (a) or (b) which encode a protein which ~~has essentially~~ retains the ~~same~~ cartilage or bone inducing activities ~~as~~ of a mature protein encoded by the nucleotide sequence of SEQ ID NO:1.

Claim 21 (previously presented): The antibody according to claim 20, wherein said antibody is a monoclonal antibody.

Claim 22 (currently amended): An antibody or antibody fragment according to claim 20, which specifically binds to a protein of the TGF- β family wherein the